

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CALVIN ADONY MARIANO ESPINOZA, et al.,

Plaintiffs,

-v-

EURO DESIGN AND STONE LLC, et al.,

Defendants.

CIVIL ACTION NO.: 20 Civ. 4381 (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

The Court is in receipt of the parties' letter-motion dated March 16, 2023 (ECF No. 170 (the "Letter-Motion")), requesting the Court approve their negotiated settlement agreement (the "Agreement"), and its corresponding exhibits (ECF Nos. 171 – 171-3 (together, the "Submissions")), and orders as follows:

1. By **Monday, March 27, 2023**, the parties shall file a joint letter explaining the following discrepancies the Court has identified with the Submissions, and providing a revised Agreement, as follows:
 - a. The Agreement does not set forth an allocation of how much each Plaintiff shall receive. See Velazquez v. P.J.C.M. Rest. Corp., No. 15 Civ. 3602, 2016 WL 4987156, at *1 (S.D.N.Y. Sept. 15, 2016) (rejecting a proposed settlement that was unclear about how installment payments were to be distributed).
 - b. The Agreement, in discussing the schedule of payment, specifies that the "[s]ettlement [a]mount shall be distributed in two (2) installments[,]" but later discusses "[i]ninstallment [t]wo to [t]en[.]" (Compare ECF No. 170-1 at 2 § 1.a with id. at 2 § 1.a.ii).

Dated: New York, New York
March 23, 2023

SO ORDERED.


A handwritten signature in cursive script, reading "Sarah L. Cave", is written over a horizontal line.

SARAH L. CAVE
United States Magistrate Judge